

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GUY ROBERT SODERLIND, JR.,
Plaintiff,
v.
URSULA J. HAIGH, *et al.*,
Defendants.

No. C15-1655RSL

**ORDER DENYING PLAINTIFF'S
MOTION TO AMEND JUDGMENT**

On May 11, 2018, judgment was entered in the above-captioned matter against plaintiff and in favor of the King County defendants. Dkt. # 139. Plaintiff filed a timely motion to amend judgment under Fed. R. Civ. P. 59(e) asserting that the Court erred when it found that plaintiff was not arrested in the curtilage of his home, when it found that the King County deputies' interpretation of the anti-harassment orders was reasonable, and when it applied the fellow officer rule. Dkt. # 155. This matter can be resolved on the papers submitted. Plaintiff's request for oral argument is DENIED.

Reconsideration under Rule 59 is appropriate if the moving party presents newly discovered evidence or new law, shows that the prior ruling is manifestly unjust, or establishes that the court clearly erred. Sch. Dist. No. 1J v. ACandS, Inc., 5 F.3d 1255, 1263 (9th Cir. 1993). Plaintiff has not met his burden here. The new case plaintiff relies upon for his curtilage argument is easily distinguishable. In Collins v. Virginia, U.S. , 138 S.Ct. 1663, 1670-71

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(2018), the officer walked up the driveway from the road, past the front lawn and the front perimeter of the house, and into a partially enclosed portion of the driveway abutting the house to get to the motorcycle he wanted to search. In this case, the officers encountered plaintiff in a parking area that abutted (or may have been part of) the public right of way, was physically separated from the home by storage buildings, and which had none of the comforts, privacies, or uses of a home. Nor has plaintiff shown manifest error or injustice in the Court's evaluation of the reasonableness of the deputies' interpretation of the anti-harassment orders or application of the fellow officer rule.

For all of the foregoing reasons, reconsideration is not appropriate, and plaintiff's motion to amend the judgment is DENIED.

Dated this 13th day of July, 2018.

Robert S. Lasnik
Robert S. Lasnik
United States District Judge